

01-18-00538-CR

In the
Court of Appeals
for the First Judicial District of Texas
at Houston

FILED IN
1st COURT OF APPEALS
HOUSTON, TEXAS
2/19/2019 12:00:00 AM
CHRISTOPHER A. PRINE
Clerk

No. 2167075
In County Criminal Court at Law No. 6
of Harris County, Texas

Ricardo Romano
Appellant

v.

The State of Texas
Appellee

**State's Third and Final Motion for Extension
of Time to File Appellate Brief**

To the Honorable Court of Appeals:

The State of Texas, pursuant to TEX. R. APP. P. 2 & 10.5, moves for an extension of time in which to file its appellate brief. The following facts are relevant:

1. On August 24, 2017, the appellant was charged by information with indecent exposure, committed on August 23, 2017. (CR. – 7). Following a trial, the court found the appellant guilty of the charged offense on May 18, 2018. (CR. – 61). The court sentenced him the same day to three days

in jail. *Id.* The appellant filed notice of appeal on June 12, 2018; the trial court certified the appellant's right to appeal on May 18, 2018. (CR. – 54, 64-70).

2. The State's brief was due Wednesday, February 13, 2019.
3. The State filed its brief today, Monday, February 18, 2019.
4. The State therefore requests a five-day extension in which to file its brief.
5. The following facts are relied upon to show good cause for an extension of time to allow the State to file its brief:

- a. This is the State's third and final request for an extension in this case.

- b. I timely filed a brief in the following case on February 5, 2019:

Demarcus West
No. 01-18-00228-CR

- c. I timely filed a brief in the present case today, February 18, 2019.

- d. In addition to this case, I am handling the following appeals:

Travein Straughter
No. 14-18-00408-CR

Rodney Robles
No. 14-18-00401-CR

- e. I have also been preparing for an oral argument set tomorrow, February 19, 2019, before a panel of the Fourteenth Court of Appeals in the following case:

Alonzo Columbus Johnson
No. 14-18-00092-CR

- f. Due to an increased need for appellate assistance from trial prosecutors, I have spent approximately thirty-seven hours over the past month providing legal research and guidance on issues ranging from plea agreements to search and seizure law and jury charges.
- g. Shortly after the extension in this case last granted by this Court, I was forced to take a week of sick and personal leave due to a middle ear infection and perforated ear drum. This illness resulted in pain and vertigo, required prescription medication and rest, and delayed the timely completion of some of my work, including this brief.

WHEREFORE, the State prays that this Court will grant the requested extension.

Respectfully submitted,

/s/ Cory Stott

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CERTIFICATE OF SERVICE

I certify that I have requested that efile.txcourts.gov electronically serve a copy of this motion to:

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Date: February 18, 2019